

LAW OFFICES
KOTEEN & NAFTALIN
1150 CONNECTICUT AVENUE
WASHINGTON, D.C. 20036

BERNARD KOTEEN
ALAN Y. NAFTALIN
RAINER K. KRAUS
ARTHUR B. GOODKIND
GEORGE Y. WHEELER
HERBERT D. MILLER, JR.
MARGOT SMILEY HUMPHREY
PETER M. CONNOLLY
M. ANNE SWANSON
CHARLES R. NAFTALIN
GREGORY C. STAPLE
MORTON J. POSNER

TELEPHONE
(202) 467-5700
TELECOPY
(202) 467-5915

June 5, 1995

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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Washington, D. C. 20554

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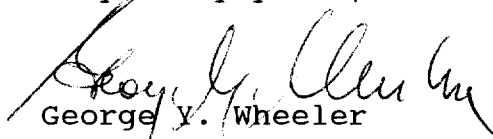
Re: PR Docket No. 93-61
Amendment of Part 90 of the Commission's Rules

Dear Mr. Caton:

Transmitted herewith are an original and four copies of reply comments of Mark IV Industries I.V.H.S., Inc. in the above-referenced docket.

If there are any questions concerning this matter please communicate with the undersigned.

Very truly yours,


George Y. Wheeler

Enclosure

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Before the
Federal Communications Commission
Washington, D. C. 20554

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JUN 5 1965

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Part 90 of the)
Commission's Rules to Adopt) PR Docket No. 93-61
Regulations for Automatic)
Vehicle Monitoring Services)

REPLY COMMENTS OF MARK IV INDUSTRIES, LTD. I.V.H.S. DIVISION

Mark IV Industries, Ltd. I.V.H.S. Division ("Mark IV") herewith, by its attorneys, files its comments supporting grant of the modifications to the Commission's LMS Report and Order in the above-captioned proceeding requested by the Interagency Group.¹

1. Adoption of Single-Application Procedures. The Interagency Group has presented compelling reasons for the Commission to adopt a "streamlined, single application procedure" to facilitate coordinated grants of large non-multilateration systems such as the EZ Pass Plan. We believe that the Commission should be flexible in adopting application procedures to take account of the unique geographical dispersion, the large number of toll agencies involved and the requirements for full RF interoperability among all parts of the regional system being deployed by the Interagency Group members. The public will clearly benefit if the various toll agencies can obtain authorizations in a manner which permits the

¹ The InterAgency Group is composed of the following: New Jersey Highway Authority; New Jersey Turnpike Authority, New York State Thruway Authority; Pennsylvania Turnpike Commission; Metropolitan Transportation Authority Bridges and Tunnels; Port Authority of New York and New Jersey; South Jersey Transportation Authority and Delaware River Port Authority.

orderly, timely and cost-effective deployment of large regional systems like EZ Pass.

2. Grandfathering of Existing Non-Multilateration Licensees.

The request of the Interagency Group for an additional three years beyond the April 1, 1998 deadline for grandfathered non-multilateration licensees to use equipment which does not meet out-of-band emissions limits also should be granted in the public interest. The investment in grandfathered equipment identified by the Interagency Group, exceeding \$3.1 million by public toll agencies, is substantial. The estimated useful life of this equipment, approximately eight to ten years, extends well past the April 1, 1998 deadline.² The public would benefit if the Interagency Group were not compelled by Commission regulation to retire these facilities before the end of their useful life.

* * *

We strongly urge the Commission to reconsider and grant both requests of the Interagency Group. As discussed here, the toll agencies comprising the Interagency Group have presented sound, practical and fiscally-responsible reasons why the Commission's

² The EZ Pass system only recently started operating advanced reader systems supplied by Mark IV in the first quarter of 1995 and will greatly expand the scope of its initial operations in coming months.

procedures should be modified. The public clearly will benefit from Commission grant here.

Respectfully submitted,

MARK IV INDUSTRIES, LTD. I.V.H.S.
DIVISION

By


George Y. Wheeler

Koteen & Naftalin
1150 Connecticut Avenue, N.W.
Washington, DC 20036
(202) 467-5700

Its Attorneys

June 5, 1995

CERTIFICATE OF SERVICE

I, Judy Cooper, hereby certify that on the 5th day of June, 1995, copies of the foregoing Reply Comments were deposited in the U.S. mail, postage prepaid, to the following:

George L. Lyon, Jr.
Likas, McGowan, Nace
& Gutierrez
1111-19th Street, N.W.
Suite 1200
Washington, D. C. 20036
Counsel for Ad Hoc Gas Distribution Utilities Coalition

Theresa Fenelon
Pillsbury Madison & Sutro
1050 Connecticut Ave., N.W.
Washington, D. C. 20036
Counsel for Air Touch Teletrac

Christopher D. Imlay
Booth, Freret & Imlay
1233-20th Street, N. W.
Washington, D. C. 20036
Counsel for The American Radio Relay League, Inc.

Lawrence J. Movshin
Wilkinson, Barker, Knauer
& Quinn
1735 New York Avenue, N. W.
Washington, D. C. 20006
Counsel for Cellnet Data Systems, Inc.

Gordon M. Ambach
Counsel of Chief State School Officers
One Massachusetts Ave., N. W.
Suite 700
Washington, D. C. 20001-1431
Connectivity for Learning Coalition

Raymond B. Grochowski
Lathan & Watkins
1001 Pennsylvania Ave., N.W.
Washington, D. C. 20004
Counsel for Hughes Transportation Management Systems

Robert B. Kelly
Kelly & Povich
1101-30th Street, N.W.
Washington, D. C. 20007
Counsel for Intelligent Transportation Society

Allan R. Adler
Cohn & Marks
1333 New Hampshire Avenue, N.W.
Washington, D. C. 20036
Counsel for The Interagency Group

Henry Rivera
Ginsburg, Feldman & Bress
1250 Connecticut Ave., N. W.
Washington, D. C. 20036
Counsel for Metricom, Inc.

John J. McDonnell
Reed Smith Shaw & McClay
1200-18th Street, N. W.
Washington, D. C. 20036

Henrietta Wright
Goldberg, Godles, Wiener & Wright
1229-19th Street, N.W.
Washington, D. C. 20036

Daniel S. Goldberg
Goldberg, Godles, Wiener
& Wright
1229-19th Street, N.W.
Washington, D. C. 20036

Glen Wilson
Safetran Systems Corporation
10855 7th Street
Rancho Cucamonga, CA 91730

Louis Gurman
Gurman, Kurtis, Blask
& Freedman
1400-16th Street, N.W.
Washington, D. C. 20036

Catharine Wang
Swidler & Berlin
3000 K Street, N.W.
Washington, D. C.

Jeffrey L. Sheldon
1140 Connecticut Avenue, N. W.
Suite 1140
Washington, D. C. 20036

Hugh M. Pearce
Wireless Transactions Corpora-
tion
1183 Bordeaux Drive, Suite 22
Sunnyvale, CA 94089


Judy Cooper